

COPY

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 38190/198731

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPTICAL FIBER HAVING AN ELEVATED THRESHOLD FOR STIMULATED BRILLOUIN SCATTERING,

the specification of which

☒ is attached hereto

OR

☐ was filed on _____ as United States Application No. _____ or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

(None)			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(None)	
Application Number	Filing Date (MM/DD/YYYY)
Application Number	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

(None)		
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with The Boeing Company and with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 000826, and

**David J. Clement, Reg. No. 44,082
Paul C. Cullom, Reg. No. 25,580
Harry B. Field, Reg. No. 27,880
Ann K. Galbraith, Reg. No. 33,530
Lawrence N. Ginsberg, Reg. No. 30,943
Terje Gudmestad, Reg. No. 32,232
Robert L. Gullette, Reg. No. 26,899
James P. Hamley, Reg. No. 28,081
John C. Hammar, Reg. No. 29,928
Thomas W. Hennen, Reg. No. 27,798
Lynn H. Hess, Reg. No. 25,160
Lawrence W. Nelson, Reg. No. 34,684
Bryan C. Ogden, Reg. No. 25,362
John R. Rafter, Reg. No. 28,533
Robert R. Richardson, Reg. No. 40,143
Charles T. Silberberg, Reg. No. 26,584**

Direct correspondence to the
attention of and telephone calls to:

**Guy R. Gosnell, Esq.
Registration No. 34,610
Tel Charlotte Office (704) 331-6000
Fax Charlotte Office (704) 334-2014**

Full name of first inventor: **Chester Lee Balestra**

Inventor's
Signature: *Chester Lee Balestra* Date: *2/23/01*

Residence: **Wildwood, Missouri**

Citizenship: **United States of America**

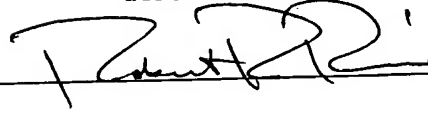
Mailing Address: **The Boeing Company
P.O. Box 3707, Mail Stop 1308
Seattle, Washington 98124-2007**

Full name of
second inventor:

Robert Rex Rice

Inventor's

Signature:



Date: 01/12/2001

Residence:

Simi Valley, California

Citizenship:

United States of America

Mailing Address:

The Boeing Company
P.O. Box 3707, Mail Stop 1308
Seattle, Washington 98124-2007

CLT01/4459418v1



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MAY 22, 2001

PTAS



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101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

Alston & Bird

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

MAY 25 2001

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/28/2001

REEL/FRAME: 011586/0920
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BALESTRA, CHESTER LEE

DOC DATE: 02/23/2001

ASSIGNOR:

RICE, ROBERT REX

DOC DATE: 01/12/2001

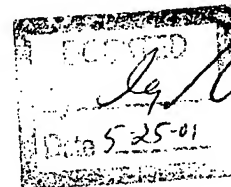
ASSIGNEE:

BOEING COMPANY, THE
POST OFFICE BOX 3707
M/S 13-08
SEATTLE, WASHINGTON 98124-2207

SERIAL NUMBER: 09795156
PATENT NUMBER:

FILING DATE: 02/28/2001
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



ASSIGNMENT

03-15-2001

SH. LT Patents Only



To the Honorable Commissioner of Patents
Please record the attached original documents or copy.

101640103

Patent Dkt. No.: 38190/198731



1. Name of conveying party(ies):

1. Chester Lee Balestra
2. Robert Rex Rice

2/28/01

2. Name and address of receiving party(ies):

The Boeing Company
M/S 13-08
Post Office Box 3707
Seattle, Washington 98124-2207

Additional name(s) of conveying party(ies) attached? Yes ☐ No ☒

3. Nature of conveyance:

- ☒ Assignment
- ☐ Merger
- ☐ Security Agreement
- ☐ Change of Name
- ☐ Other _____

Execution Date: 1. 2-23-2001
2. 1-12-2001

Additional name(s) & address(es) attached? Yes ☐ No ☒

4. Application No. _____

Patent No. *09795-156*

If this document is being filed together with a new application, the execution date of the application is: 1. 2-23-2001 and 2. 1-12-2001

Additional numbers attached? Yes ☐ No ☒

5. Name and address of party to whom correspondence concerning document should be mailed:

CUSTOMER NO. 000826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41) \$40.00

- ☒ Enclosed
- ☐ Authorized to be charged to deposit account

8. Deposit account number: 16-0605

03/15/2001 GTOM11 00000052 09795156

01 FC:581

40.00 DP

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9. Statement and signature: *To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Name of Person Signing: *Guy R. Gosnell*

Reg. No. 34,610

February 28, 2001

Date

Total number of pages including cover sheet, attachments, and document: 4

ASSIGNMENT

THIS ASSIGNMENT, made by us, **Chester Lee Balestra**, citizen of the United States of America, residing at 2030 Medicine Bow, Wildwood, St. Louis County, Missouri 63011; and **Robert Rex Rice**, citizen of the United States of America, residing at 391 Sycamore Grove, Simi Valley, Ventura County, California 93065, respectively;

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in **OPTICAL FIBER HAVING AN ELEVATED THRESHOLD FOR STIMULATED BRILLOUIN SCATTERING** for which an application for United States Letters Patent has been executed by us concurrently herewith, and

WHEREAS, **The Boeing Company**, a Delaware corporation having a principal place of business at Seattle, King County, Washington, with a mailing address of Post Office Box 3707, M/S 13-08, Seattle, WA 98124-2207, hereinafter referred to as assignee, is desirous of acquiring the entire right, title, and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

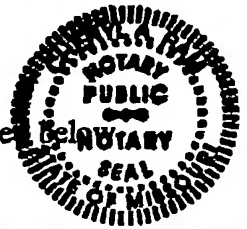
NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, the parties hereto have hereunto set our hands and seals as date, 2/23/01
CHERYL A. RICE, Notary Public
STATE OF MISSOURI, ST. LOUIS COUNTY
MY COMMISSION EXPIRES FEBRUARY 7, 2004



2/23/01 Cheryl A. Rice Chester Lee Balestra NOTARY PUBLIC - STATE OF MISSOURI
Date Witness Chester Lee Balestra ST. LOUIS COUNTY
MY COMMISSION EXPIRES FEB. 7, 2004

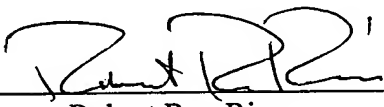
Date Witness Robert Rex Rice (SEAL)

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We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, we have hereunto set our hands and seals as dated below.

_____	_____	_____ (SEAL)
Date	Witness	Chester Lee Balestra
<u>01/12/2001</u>	<u>William F. Dechelman</u>	<u></u> (SEAL)
Date	Witness	Robert Rex Rice

CLT01/4459420v1